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UNITED STATES COURT OF APPEALS

Marcia M. Waldron Clerk

FOR THE THIRD CIRCUIT 21400 United States Courthouse 601 Market Street Philadelphia PA 19106-1790

Telephone 267-299-4919

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August 20, 2004

Mr. Peter T. Dalleo, Clerk U.S. District Court for the District of Delaware 844 King Street Lockbox 18

Wilmington, DE 19801

RE: Docket No. 03-2373

Myers vs. Med Ctr DE Inc

D.C. No. 97-cv-00461

Dear Mr. Dalleo:

Enclosed is a certified copy of the judgment together with copy of the opinion in the above-entitled case(s). The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

(X) We release herewith the certified list in lieu of the record in the case(s).

Kindly acknowledge receipt for same on the enclosed copy of this letter.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified judgment is also enclosed showing costs taxed, if any.

Very truly yours, MARCIA M. WALDRON

Clerk

duita Dyer By: Case Manager

Enclosure

cc:

James B. O'Neill, Esq. James E. Drnec, Esq.

Megan K. D'Iorio, Esq.

Mason E. Turner Jr., Esq.